

1 BARRY J. PORTMAN
Federal Public Defender
2 JOYCE LEAVITT
Assistant Federal Public Defender
3 555 12th Street, Suite 650
Oakland, CA 94607-3627
4 (510) 637-3500

5 Counsel for Defendant CHRISTOPHER CARR

6
7
8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,

14 v.

15 CHRISTOPHER CARR,
16
17 Defendant.

)
) No. CR 09-00964 DLJ

)
) STIPULATION AND
) **ORDER** CONTINUING STATUS
) DATE AND EXCLUSION OF TIME

18 **STIPULATION**

19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in
20 this case with respect to Christopher Carr, currently scheduled for Friday, January 22, 2010, at 9:00
21 a.m. before Honorable D. Lowell Jensen, may be continued two weeks to Friday, February 5, 2010,
22 at 9:00 a.m. for status. The reason for the continuance is that defense counsel needs additional time
23 to investigate the case. A continuance to February 5, 2010, should give defense counsel the needed
24 time to continue with its investigation and determine whether the case is likely to resolve or be set
25 for motions or trial. The parties stipulate that the time from January 22, 2010, to February 5, 2010,
26

1 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
2 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel so that government counsel can
3 continue to investigate the case.

4 DATED: 1/21/10

/s/
JOYCE LEAVITT
Attorney for Christopher Carr

7 DATED: 1/21/10

/s/
JAMES MANN
Assistant United States Attorney

9 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
10 conformed signature (/s/) within this e-filed document.

11 **ORDER**

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case, is
13 hereby continued to Friday, February 5, 2010, at 9:00 a.m. for status.

14 IT IS FURTHER ORDERED that the time from January 22, 2010 to February 5, 2010, is
15 hereby excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
16 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel so that defense counsel can continue
17 its investigation. The Court finds that the ends of justice served by the granting of the continuance
18 outweigh the best interests of the public and the defendant in a speedy and public trial and the failure
19 to grant the requested continuance would unreasonably deny counsel the reasonable time necessary
20 for effective preparation, taking into account due diligence.

22 SO ORDERED.

23 DATED: January 21, 2010

HONORABLE D. LOWELL JENSEN
United States District Judge